

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Alexandria Division

In re:

JOSE A. PALACIOS,

Debtor.

Case No. 10-16469-RGM  
(Chapter 13)

**MEMORANDUM OPINION**

The debtor filed a certification of exigent circumstances in an effort to obtain an extension of his obligation to file his credit counseling certificate. The request for deferment states that the debtor attempted to obtain a money management course offered in Spanish, but was unable to get an appointment until August 20, 2010. He does not, however, describe any exigent circumstances that necessitated a filing prior to August 20, 2010.

This is the third case that has been filed by either the debtor or Rosa Lilian Palacios. Ms. Palacios filed cases 09-20580-SSM and 10-11804-SSM. Case 10-11804-SSM was dismissed by an order entered on May 28, 2010, with prejudice to re-filing for a period of 180 days. This case was filed on August 2, 2010, within the 180 day period. The debtor and Ms. Palacios are co-owners of the residential property in which they live and are co-obligors of the debt secured by it.

The court notes that the debtor states on Schedules I and J that he has a total income of \$2,000 a month, but expenses of \$4,552.12. This does not include any income for Ms. Palacios.

In consideration of the three filings made by the debtor and Ms. Palacios, the debtor's knowledge of the credit counseling requirement, the opportunity to timely obtain credit counseling, and the absence of a description of an exigent circumstances, the request will be denied.

Alexandria, Virginia  
August 10, 2010

/s/ Robert G. Mayer  
Robert G. Mayer  
United States Bankruptcy Judge

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